

STATE OF MAINE
PUBLIC UTILITIES COMMISSION

Docket No. 94-291

April 30, 1998

GRETCHEN HANSEN ET AL V. STANDISH
TELEPHONE COMPANY
Request for Commission Investigation
Into Local Calling Area of Residents
of Gorham with the 642 Exchange and
Request Calling Area of Other
Residents of Gorham have with the 839
Exchange

ORDER APPROVING
STIPULATION

WELCH, Chairman; NUGENT and HUNT, Commissioners

On April 23, 1998, parties Gretchen Hansen (lead complainant), Standish Telephone Company ("the Company"), New England Telephone & Telegraph Company d/b/a Bell Atlantic, and the Office of the Public Advocate filed a Stipulation in this case. The Telephone Association of Maine and Representative Janice LaBrecque did not sign the Stipulation but have stated they do not oppose it.

The Stipulation addresses calling area and service territory issues that have been raised in this case. It proposes to provide those customers located in the Standish exchange of the Standish Telephone Company who reside in the Town of Gorham with reduced rates for calls to the exchanges that are included in the premium Basic Service Calling Area (BSCA) for the Gorham exchange of Bell Atlantic. The reduced rates are contained in an optional calling plan known as the "Home Town Plan." The Stipulation also resolves an issue raised in the case concerning whether Standish Telephone Company presently has the authority to serve those customers. We find that the resolution of the issues addressed in the Stipulation are reasonable.

We address one matter that is not entirely clear in the Stipulation. Under the Stipulation, the Home Town Plan is to remain in effect for one year, starting on June 1, 1998. According to Part III(A)(3):

At the conclusion of one year, the impact and results of the plan will be evaluated to determine customer acceptance, overall impact on the Company, and whether the Company wishes to extend the plan.

We do not believe that the plan should expire while the evaluation is going on. Accordingly, we approve the Stipulation on the condition that the plan will remain in effect after the expiration of 1 year while the evaluation takes place, for a period not to exceed 120 days. Subsequent to our deliberations on this Stipulation, the presiding officer informed Standish Telephone of

this condition, and the Company does not object. Extensions of the Plan beyond the evaluation period will occur only pursuant to further Commission order.

Accordingly,

ORDERING PARAGRAPHS

1. We find that the Stipulation attached hereto is reasonable, and we approve it and incorporate it into this Order;
2. To the extent that Standish Telephone Company may lack authority to provide telephone service to those portions of the Town of Gorham that are shown within the Standish exchange boundary, as represented by the exchange boundary map filed with the Commission as part of Standish Telephone Company's presently approved terms and conditions, we grant that authority pursuant to the provisions of 35-A M.R.S.A. §§ 2102 and 2105;
3. Standish Telephone Company shall file rates and terms and conditions that comply with the Stipulation and this Order on or before May 1, 1998;
4. The Home Town Plan, as described in the Stipulation, and in Exhibit 1 of the Stipulation shall be in effect from June 1, 1998 until May 31, 1999, and thereafter during an evaluation period not to exceed 120 days; and beyond that period only pursuant to further order of the Commission;
5. Standish Telephone Company shall file its evaluation of the Home Town Plan with the Commission and with other parties within the time limits indicated in Ordering Paragraph 4.
6. This docket is closed until the filing required by Ordering Paragraph No. 5.

Dated at Augusta, Maine this 30th day of April, 1998.

BY ORDER OF THE COMMISSION

Dennis L. Keschl
Administrative Director

COMMISSIONERS VOTING FOR: Welch
 Nugent
 Hunt

NOTICE OF RIGHTS TO REVIEW OR APPEAL

5 M.R.S.A. § 9061 requires the Public Utilities Commission to give each party to an adjudicatory proceeding written notice of the party's rights to review or appeal of its decision made at the conclusion of the adjudicatory proceeding. The methods of review or appeal of PUC decisions at the conclusion of an adjudicatory proceeding are as follows:

1. Reconsideration of the Commission's Order may be requested under Section 1004 of the Commission's Rules of Practice and Procedure (65-407 C.M.R.110) within 20 days of the date of the Order by filing a petition with the Commission stating the grounds upon which reconsideration is sought.
2. Appeal of a final decision of the Commission may be taken to the Law Court by filing, within 30 days of the date of the Order, a Notice of Appeal with the Administrative Director of the Commission, pursuant to 35-A M.R.S.A. § 1320 (1)-(4) and the Maine Rules of Civil Procedure, Rule 73 et seq.
3. Additional court review of constitutional issues or issues involving the justness or reasonableness of rates may be had by the filing of an appeal with the Law Court, pursuant to 35-A M.R.S.A. § 1320 (5).

Note: The attachment of this Notice to a document does not indicate the Commission's view that the particular document may be subject to review or appeal. Similarly, the failure of the Commission to attach a copy of this Notice to a document does not indicate the Commission's view that the document is not subject to review or appeal.